

ber 48, Page 39 of Plats, Wayne County Records, be and is hereby allocated for street purposes to be known as Cathedral Avenue, and further;

Resolved, That the newly allocated street be and it is hereby ordered paved and sidewalks constructed and that the entire cost of doing the necessary work be borne by the Department of Parks and Recreation.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—8.

Nays—None.

Department of Public Works

March 1, 1957.

Honorable Common Council:

Gentlemen—On January 8, 1957, Your Honorable Body confirmed Repair Sidewalk Assessment Roll No. 409-C.

Since that time, we have discovered that a portion of the repair work done was charged to the wrong property, which is on the above-mentioned assessment roll. Therefore, we are cancelling this assessment and billing charges to the correct properties.

To remove this item from said roll, we offer the following resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Lincoln:

Resolved: That the City Treasurer be and he is hereby authorized to cancel the following assessment:

Roll 409-C-7, Lot 128, N.S. Evanston bet. Park Drive and Annsbury, Cancel \$34.35, Complaint No. 194193, Receipt No. 63026, Item No. 5189.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—8.

Nays—None.

Department of Public Works

February 28, 1957.

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Fairmount Foods Company Petition No. 10692, requesting the vacation of a north-south public alley and a portion of east-west public alley all in the area south of Milwaukee Avenue, between St. Antoine Avenue and Hastings Street. The petition was approved by the City Plan Commission with the recommendation that sufficient land be dedicated for a new alley outlet into Milwaukee Avenue. The Petition was then referred to this office by your Committee of the Whole for investigation and report.

We wish to advise that our investigations are completed.

The petitioner on February 28, 1957, deposited with the Permit Divi-

sion of the Department of Public Works the sum of \$550.00. Receipt No. 79771, said amount being the estimated cost of constructing the return and stoning newly deeded alley. The petitioner requested that the paved return at the entrance to the vacated alley remain in the present status as the petitioner plans to utilize same, and has agreed, by letter filed with the original petition, to pay all costs incidental to the removal of the return at such time in the future as the removal becomes necessary.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the portion of alley to be vacated.

We are in receipt of a Quit Claim Deed whereby petitioner dedicates land to be used for alley purposes in accordance with the City Plan Commission's recommendation. Said deed was approved as to description by the City Engineer, and it is attached hereto for your Honorable Body's acceptance.

All other City departments and privately owned utility companies reported that they will be unaffected by the vacation of said alleys.

We recommend the adoption of the attached resolution.

Respectfully submitted,

GLENN C. RICHARDS,
Commissioner.

By Councilman Lincoln:

Resolved, That all of the north-south public alley 20 feet wide, south of Milwaukee Avenue, between St. Antoine Avenue and Hastings Street, which alley was deeded to the City of Detroit, said deed having been accepted by the Common Council of the City of Detroit on March 2, 1926, and which alley is in fact the east 20 feet of Lot 16 of the Subdivision of Lot 143 and part of Lot 144 of the Subdivision of McCunes Subdivision of part of Fractional Section 31, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 28 of Plats, Wayne County Records.

Also all that part of the east-west public alley 10 feet wide, south of Milwaukee Avenue between St. Antoine Avenue and Hastings Street, as platted in said Subdivision of Lot 143 and part of Lot 144 of the Subdivision of McCunes Subdivision of part of Fractional Section 31, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 28 of Plats, Wayne County Records, lying south of and adjoining the south line of the east 20 feet of lot 16, south of and adjoining the south line of lot 17, and south of and adjoining the south line of the west 16 feet of lot 18 of the above mentioned subdivision.

Be and the same are hereby vacated as public alleys to become a part and parcel of the adjoining property, subject to the following provisions:

(1.) Provided, That by reason of the vacation of the above described alley, the City of Detroit does not waive any rights to the sewer located therein and at all times shall have the right to enter upon the premises, if found necessary, on account of said sewer to repair, alter, or service same; and further

(2.) Provided, That if a building is to be constructed over said sewer, the sewer shall be replaced with cast iron pipe of the same size, rerouted or encased in 6 inches of Class "A" concrete, or in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision and inspection of the Department of Public Works and all costs entailed to be borne by the petitioners, their successors, or assigns; and further

(3.) Provided, That no buildings shall be constructed over said sewer without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

(4.) Provided, That in the event that the sewer located in said alley, if built upon, shall break causing damage to any construction above, the petitioner and their assigns, by acceptance of the permit for building over said sewer, waive all claims for damages to such construction and agree to pay all costs incident to the repair of said broken sewer; and further

Resolved, That Quit Claim Deed of Fairmount Foods Company, a Delaware Corporation to the City of Detroit, a Municipal Corporation deeding land for alley purposes, said land being described as "The east 10 feet of the west 26 feet of Lot 18, of the Subdivision of Lot 143 and part of Lot 144 of the Subdivision of McCunes Subdivision of part of Fractional Section 31, T. 1 S., R. 12 E., City of Detroit, Wayne County, Michigan, as recorded in Liber 7, Page 28 of Plats, Wayne County Records" be and the same is hereby accepted and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County, subject to the following provision:

(1.) Provided, That the above mentioned deed be approved as to form and execution by the Corporation Counsel.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—8.
Nays—None.

Department of Public Works

March 1, 1957.

Honorable Common Council:
Gentlemen—Submitted herewith for confirmation are contracts entered into as authorized and directed by your formal proceedings date January 22, 1957.

PR-139—Electrical Service—Farwell Arbe Electric Company, Field Ice Skating Rink.

Respectfully submitted,
M. F. WAGNITZ,
City Engineer.

By Councilman Lincoln:

Resolved, That contract as listed in the foregoing communication be and the same is hereby confirmed.

Adopted as follows:

Yeas—Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Youngblood, and President Miriani—8.
Nays—None.

Department of Public Works

March 1, 1957.

Honorable Common Council:
Gentlemen—This is to certify that all work required of the Contractors in the performance of these Contracts has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated below as the Adjusted Contract Price.

The Contractors have submitted affidavits that all payrolls, material bills, and all other indebtedness incurred by them in connection with the work have been paid.

It is therefore recommended that the total value of the work, as stated below be paid to the Contractors with the understanding that such payments are made by the City and accepted by the Contractors under the Contract provisions covering final payment.

Alley: PW-2799F—Marlowe, Hubbell, Schoolcraft, Grand River; Colwell Construction Company, \$1,802.80.

Alley: PW-2733F—Queen, Hayes, Alma, Mayfield; John Longo & Company, \$2,765.20.

Street: PW-2914W—Fargo from Northrop to Lahser; The Thomas E. Currie Company, \$21,728.70.

JOHN S. PERCIVAL,
Eng. of Tests & Inspection.
M. F. WAGNITZ,
City Engineer.

GLENN C. RICHARDS,
Commissioner.

By Councilman Lincoln:

Whereas, From the foregoing communication, it appears that all work required to be performed by the Contractors under the contracts therein named has been fully completed; and

Whereas, The completed work has been found acceptable under the